

More✓ trouble

Beating suspects
jailed for
probation violations

Gatehouse News Service

Jay P. Rains of Duxbury, Michael R. Anderson of Quincy, and Christopher Bratlie of Marshfield have legal troubles beyond their alleged participation in a racially motivated beating and stabbing of an African-American teenager from Jamaica Plain in June.

The three men were on probation for unrelated felony charges, and Plymouth District Court Judge Robert Welsh said July 24 that the three men had violated their probation by allegedly participating in the beating and said they already had "terrible criminal records for men their age." All three had records of arrests on charges of breaking and entering at night to commit felony.

Because of the probation violations, Welsh sentenced them to serve 18 months in prison. Rains, 19; Anderson, 19; and Bratlie, 22, have been charged with attempted murder, assault and battery with a dangerous weapon, assault and battery with intent to intimidate and civil rights

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violations for their part in the alleged racial attack.

The other people charged in the beating were Marshfield residents Paul Berchtold, 18; Jeffrey Cappello, 20; Kevin P. Shdeed, 17; and Amanda L. Kelly, 19. Kelly is also charged with intimidating a witness. They will be back in court in August for a probable-cause hearing in connection with the charges related to the beating.

Rains' prior record includes charges of larceny of a firearm, breaking and entering a boat at nighttime to commit felony, attempt to commit a crime, destruction of property over \$250, larceny over \$250, motor vehicle larceny and possession of liquor by an underage person. He pleaded guilty to larceny of a firearm earlier this year and was sentenced to 18 months of probation.

Bratlie's past record includes arrests for motor vehicle larceny, speeding, reckless and unlicensed operation of a motor vehicle and larceny under \$250. In 2005, he was convicted of armed and masked robbery and armed assault with intent to rob and was sentenced to a year in jail.

Anderson has convictions for larceny from a building, larceny over \$250, malicious destruction of property over \$250 and breaking into a depository.

On July 25, the second day of the two-day hearing, attorneys for the men argued that witness testimony presented by the district attorney's office was not credible because several witnesses had changed their stories after police interviewed them the night of the alleged incident.

They also challenged the credibility of the police report, which they said had been changed a number of times since that night, and a surveillance video taken by cameras at the Garlic Restaurant that captured part of the incident. Part of the alleged beating took place in the restaurant parking lot after the group left the house where a party was being held.

Rains' attorney, Liam D. Scully of Brockton, said his client had been misidentified and was too badly beaten in the first fight to have participated in the beating.

Rains was one of several people sprayed in the eyes with pepper spray before he was

beaten up, according to testimony from party guests and Marshfield police officer Michael Donovan. When Donovan found Rains walking along the road toward a nearby convenience store to wash out his eyes, he had assumed the man was the victim because he was badly beaten and disoriented, Donovan said.

Kelly Orlando, a witness for the district attorney's office who was staying at a home on Careswell Street, identified all three men as being involved in the alleged beating.

Attorneys for Bratlie and Anderson argued that the primary evidence to prove the men were involved in the beating came from witnesses who had lied to police or changed their stories after the story appeared in the media. They also denied that the fight was racially motivated, arguing that the men had acted in self-defense after the alleged victim sprayed pepper spray at several women and Rains.

"It appears Mace was the motivating factor, not race," said Frank Spillane, Anderson's attorney.

Lydia Mulvany contributed to this story.